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August 25, 2023

Via ECF and Electronic Mail

The Honorable Analisa Torres  
United States District Judge for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Fernandez, et al. v. Pinnacle Group NY LLC, et al., 21-cv-10702-AT

Dear Judge Torres:

We represent named-Plaintiff Edgar Fernandez and the now six opt-in Plaintiffs,<sup>1</sup> Julio Concepcion, Franklin Lara, Igor Turcios, Juan Mena, Juan Montoya, and Zumreta Toskic, in the above-referenced Fair Labor Standards Act case. Pursuant to paragraph IV(A)(ii) of this Court's Individual Practices in Civil Cases, we write to request that the Court seal certain exhibits that Plaintiffs filed in support of their motion for summary judgment and grant them leave to refile those exhibits with the sensitive information redacted. Plaintiffs' exhibits are mostly comprised of building superintendents' timesheets. Unfortunately, some of those exhibits contained information about third parties within the superintendents' descriptions of their work. This, primarily, consists of the complete telephone numbers of third parties, but also includes the full name, unit number where the building address is part of the timesheet, and telephone number of one tenant. Plaintiffs request that the Court seal those exhibits and permit them to refile them with the sensitive information redacted. Defendants do not object to this request.

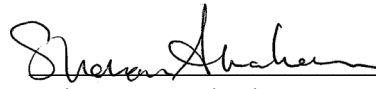
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<sup>1</sup> On August 15 and 23, 2023, opt-in Plaintiffs Fernando Mercado and Tony Fernandez, respectively, served on Defendants their Notices of Acceptance of Defendants' Rule 68 Offers of Judgment to resolve all of their claims against Defendants in this lawsuit. Defendants filed Mercado's notice of acceptance and a proposed judgment on August 24, 2023 (ECF Nos. 106-07), and as of the date of this filing, have not yet filed Fernandez's notice of acceptance.

The exhibits at issue are Exhibits 14-26 (ECF Nos. 95-14 to 95-26), 28-38 (ECF Nos. 95-28 to 95-38), 40-42 (ECF Nos. 95-40 to 95-42), 44-51 (ECF Nos. 95-44 to 95-51), 53-65 (ECF Nos. 95-53 to 95-65), 67-75 (ECF No. 95-67 to 95-70, ECF Nos. 96-1 to 96-5), 77 (ECF No. 96-7), 83 (ECF No. 96-13), 85 (ECF No. 96-15), 185 (ECF No. 97-45), and 191 (ECF No. 97-51).

We thank this Court for its attention to this matter.

Respectfully submitted,

  
Sharan R. Abraham, Esq.  
*For the Firm*

C: All counsel of record (*via* ECF)

GRANTED.

SO ORDERED.

Dated: February 16, 2024  
New York, New York

  
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ANALISA TORRES  
United States District Judge